

PROB 12C
(7/93)

Report Date: August 12, 2010

United States District Court

for the

Eastern District of Washington

Petition for Warrant or Summons for Offender Under Supervision

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

AUG 13 2010

JAMES R. LARSEN, CLERK
DEPUTY
YAKIMA, WASHINGTON

Name of Offender: Jesus Espinoza-Rivera

Case Number: 2:10CR02045-001 - LRS

Address of Offender: Incarcerated at Imperial County Jail, El Centro, CA

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, Chief U.S. District Judge

Date of Original Sentence: 05/18/2010

Original Offense: Alien in United States After Deportation, 8 U.S.C. § 1326

Original Sentence: Prison - 1 Month; TSR - 12
Months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Jane Kirk

Date Supervision Commenced: 05/18/2010

Defense Attorney: James Stewart Becker

Date Supervision Expires: 05/17/2011

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance

- 1 **Special Condition #14:** You are prohibited from returning to the United States without advance legal permission from the United States Attorney General or his designee. Should you reenter the United States, you are required to report to the probation office within 72 hours of reentry.

Supporting Evidence: The defendant illegally reentered the United States without permission on July 17, 2010.

Information received from the U.S. Immigration and Customs Enforcement, indicates the defendant was deported to Mexico on January 24, 2006, at Seattle, Washington, and most recently on June 5, 2010, at San Ysidro, California, and has not obtained legal permission to reenter the United States.

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Mandatory Condition #2: The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: On July 19, 2010, a criminal complaint was filed with the U.S. District Court in the Southern District of California, charging the defendant with Deported Alien Found in the United States, in violation of 8 U.S.C. § 1326, docket number 2:10-08824M-001.

According to the criminal complaint, on July 17, 2010, border patrol agents located five individuals near the area of Calexico, California, and the United States/Mexico border. One of the individuals was later identified as the defendant. Upon questioning, the defendant stated he is a citizen of Mexico with no immigration documents which would allow him to work, reside, or remain in the United States. The defendant stated he has been removed from the United States before and his intended destination was Sunnyside, Washington.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: August 12, 2010

s/Jose Vargas

Jose Vargas
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

August 13, 2010
Date